IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 1213 of 1983
with
FIRST APPEAL NO. 1573 OF 1983

For Approval and Signature:

HON'BLE MR.JUSTICE H.K.RATHOD

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

SAIYED AMINABIBI D/O ABHANMIYAW/O MIRSADMIYA NANNAMIYA
Versus
SAIYED FATMABIBI D/O ABBASALI W/O MURADALI BANDEALI

Appearance:
1. First Appeal No. 1213 of 1983
MR MB FAROOQUI for appellant. No. 1
MR SK BUKHARI for Respondents
2. First Appeal No. 1573 of 1983
Mr SK Bukhari for the appellants.
Mr. MB Farooqui for the respondents.

CORAM : HON'BLE MR.JUSTICE H.K.RATHOD

Date of decision: 12/09/2003

ORAL JUDGEMENT

Learned advocate Mr. M.B. Farooki is appearing for the appellants and Mr. SK Bukhari is appearing for the respondents in First Appeal No. 1213 of 1983. In First Appeal No. 1573 of 1983, learned advocate Mr. SK Bukhari is appearing for the appellants and Mr. MB Farooqui is appearing for the respondents. In respect of both the appeals, note dated 9th September, 2003 has been filed by the learned advocates Mr. Bukhari wherein it has been submitted that both the parties have settled the matter out side the court and, therefore, the appellants does not want to continue the appeals and the appeals are, therefore, required to be withdrawn by both the respective appellants. Similar Note pointing out the same facts dated 22nd August, 2003 has also been filed by the appellants in First Appeal No. 1213 of 1983. Therefore, according to the appellants, the matter has been compromised between the parties out side the court and, therefore, they does not want to continue the first appeal no. 1213 of 1983 and, therefore, the same is required to be withdrawn with a permission of this court. In view of these notes filed by the present appellants as stated above, these two first appeals have been notified before this court.

Today when the matters were taken up, learned advocate Mr. Sunil Mehta appearing for Mr. SK Bukhari has remained for the appellants in First Appeal No. 1573 of 1983. Learned advocate Mr. Farooqui has remained present for the appellants in First Appeal No. 1213 of 1983. Both the learned advocates have placed before this court purshis of withdrawal duly signed by the respective parties in these two matters and have jointly submitted that in view of the purshis, the appellants may be permitted to withdraw the appeals and dispose of the matters as withdrawn.

Considering the submissions made by the learned advocates for the parties and also considering the purshis submitted by the learned advocates before this court, the appellants are permitted to withdraw these appeals. Accordingly, these two appeals are disposed of as withdrawn. Interim relief if any shall stand vacated. There shall be

Dt.12.9.2003. (H.K. Rathod,J.)

Vyas